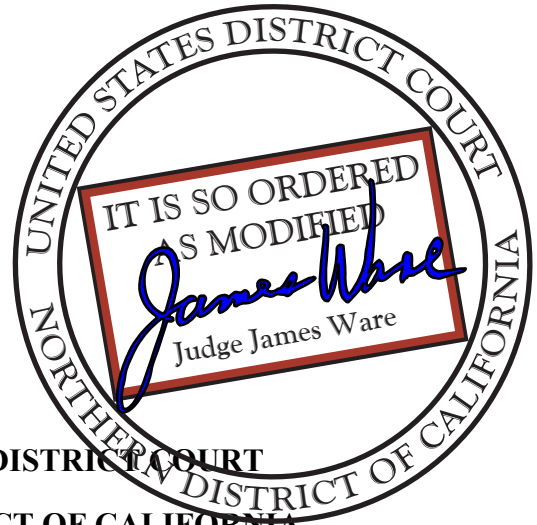


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Attorneys for Plaintiff
CHONG'S PRODUCE, INC.



**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

CHONG'S PRODUCE, INC.

Case No. C-09-01013 PVT

Plaintiff,

CASE STATUS REPORT

v.

**ORDER TO SHOW CAUSE RE:
SETTLEMENT**

PREMIUM FRESH FARMS, LLC, a California limited liability company; EMMITT PFOST, an individual; SALVADOR P. TARANTINO, an individual; PAUL E. DUNHAM, an individual; PDP ASSOCIATES, LLC, a California limited liability company; and AG HARVESTING & TECHNOLOGIES, LLC, a California limited liability company;

Defendants.

PLEASE TAKE NOTICE that a verbal settlement agreement has been reached between Plaintiff Chong's Produce, Inc. and the defendants Premium Fresh Farms, LLC, Emmitt Pfof, PDP & Associates, LLC, and AG Harvesting & Technologies, LLC. A written settlement agreement has been drafted and we are waiting for signatures from the parties. We expect the agreement to be fully executed within thirty (30) days.

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Respectfully submitted,

Dated: December 14, 2009

PRATT & ASSOCIATES

/s/Susan E. Bishop

Susan E. Bishop, Attorneys for Plaintiff
CHONG'S PRODUCE, INC.


***** ORDER *****

On December 14, 2009, Plaintiff notified the Court that the above-entitled matter has reached a settlement. (See Docket Item No. 78.) In light of the settlement, the Court vacates all trial and pretrial dates. On or before **January 29, 2010**, the parties shall file a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a).

If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No. 8, 4th Floor, United States District Court, 280 South First Street, San Jose, Ca on **February 8, 2010 at 9 a.m.** and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(b). On or before **January 29, 2010**, the parties shall file a joint statement in response to the Order to Show Cause. The joint statement shall set forth the status of the activities of the parties for finalizing the settlement and how much additional time is requested to finalize and file the dismissal. If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be automatically vacated.

Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss this action.

Dated: December 16, 2009



JAMES WARE
United States District Judge